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STATEMENT BY

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HEAD OF THE OBSERVER DELEGATION OF THE REPUBLIC OF INDONESIA

TO THE 38TH SESSION OF THE SUB-COMMISSION

ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

ON AGENDA ITEM 6 : GROSS VIOLATIONS OF HUMAN RIGHTS AND INTERNATIONAL PEACE

GENEVA, 26 AUGUST 1985

Madame Chairperson,

References have been made in the Sub-Commission to the question of East Timor. Out of respect for the Sub-Commission already shown in the past, the Indonesian Delegation wishes to reaffirm our determination to cooperate closely with the Sub-Commission. We would like to provide the Sub-Commission with relevant information relating to certain aspects of the human rights situation in East Timor raised by some of the speakers. It is our sincere hope that our brief statement would enable the distinguished members of the Sub-Commission to adopt a balanced view on the question.

Before I proceed, however, my Delegation would like to express its regret that despite the clarification given by the Indonesian Delegation in various international fora in the past and the reports made by visiting foreign observers to the province including foreign journalists, as well as the reports of the humanitarian organizations operating in East Timor, and in particular the ICRC, some of those who speak on East Timor continue to rely on reports by certain non-governmental organizations which are based on rumours, hearsay and fabricated facts.

The international community is now increasingly aware of the real situation in East Timor - the past and the present - and of the determination of the Indonesian Governemnt to continue improving the life of the East Timorese people who have suffered from more than 400 years of colonial yoke followed by a bloody civil war.

Madame Chairperson,

Reference was made to the right to self-determination of the people of East Timor. It is not only inappropriate to discuss this matter in this forum, but to discuss this issue is also irrelevant since the people of East Timor already exercised their right to self-determination on 17 July 1976 when they opted for integration with Indonesia, an exercise of the right to self-determination sanctioned by the relevant resolutions of the United Nations General Assembly.

The statement that access to East Timor is restricted is without basis . East Timor has been and will continue to be open to those who are genuinely interested and determined to help promoting the well-being of the East Timorese people as well as those who genuinely interested to ascertain the real situation in East Timor with an open mind. Humanitarian organizations such as ICRC, Catholic Relief Services, UNICEF and WHO have been operating in East Timor for many years, some of them since 1979. Visits by foreign observers have been made by representatives of foreign governments, foreign parliamentary delegations and foreign journalists.

The ICRC - which activities include protection, assistance, tracing, mailing, repatriation and family reunion - recently visited 25 villages in various part of East Timor they have asked to visit, to assess the nutritional/medical situation of the population. The result of the nutritional/medical assessment by ICRC as reported

in the ICRC Bulletin No. 115 (August 1985) indicates inter alia that "on the whole, the medico-nutritional situation of the villages visited did not show any serious problems."

A letter purportedly written by Monsignor Belo, the Apostolic Administrator of East Timor in January 1985 was mentioned. As has been reported in the foreign press, Monsignor Belo in a separate letter to the Pro Nuncio in Jakarta and to the Indonesian Foreign Minister on 9 May 1985 has denied that he wrote the letter.

For so many times, Indonesia was accused of committing torture, extra-judicial executions and also be held responsible for cases of disappearances. Those wild accusations are the same accusations based on rumours, hearsay and fabricated facts repeated again and again. It is heartening to note, however, that more and more segments of the international community who are now more aware of the real situation in East Timor from reports originating from those who have been to the province, have questioned the credibility of the accusations. The ICRC keeps track of the detainees, and their regular visit to prisons in East Timor and their interviews without witnesses are sufficient guarantee against the use of torture, extra-judicial killings and disappearances. Moreover, due process of law is guaranteed by the law. Ex-FRETILIN members who had violated the law have been tried and convicted by a civil court of law, the Court of First Instance in Dili, where each and every one of them has availed himself of a defense lawyer. Appeal to a higher court is also guaranteed by the law.

The allegations that Indonesia is destroying the cultural

identity of the people of East Timor is certainly absurd. Protected by "Adat" law or customary law, the differing cultures of various ethnic groups that can be found throughout the country, including in East Timor, have been maintained, further developed, including their traditions, moral values, languages and dialects.

Before concluding, Madame Chairperson, my Delegation would like to renew our pledge of cooperation with the Sub-Commission and also with non-governmental organizations which have shown goodwill in the pursuit of their legitimate objectives in the field of human rights.

Thank you.